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07 UNITED STATES DISTRICT COURT  
08 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

09 ASHLEY L. FIELD, )  
10 Plaintiff, ) CASE NO. C11-5116-MAT  
11 v. )  
12 MICHAEL J. ASTRUE, Commissioner ) ORDER STRIKING OPENING BRIEF  
13 of Social Security, )  
14 Defendant. )

15 Plaintiff submitted a thirty-four page opening brief in this matter, with some nineteen  
16 pages devoted to procedural, factual, and medical background and formatting failing to comply  
17 with Local Civil Rule (CR) 10(e)(1). (Dkt. 19.) Counsel for plaintiff was advised in the  
18 Order outlining the briefing schedule in this case that briefs must conform to the requirements  
19 of CR 7(e)(3) as to length, not exceeding twenty-four (24) pages for opening and responsive  
20 briefs and twelve (12) pages for reply briefs, and must also conform to the formatting  
21 requirements outlined in CR 10. (Dkt. 14 at 2.) That Order further advised the parties not to  
22 include a lengthy recitation of background facts or medical evidence; rather, a discussion of the

01 relevant facts should be included in the context of specific assignments of error. (*Id.*)

02       Moreover, counsel for plaintiff was previously informed, in a different case, as to his  
03 failure to comply with the Court's briefing requirements and advised that any briefs submitted  
04 in this Court in the future not complying with Court rules or Orders would be stricken or  
05 returned for correction. *See Olson v. Astrue*, No. C10-5618-RAJ-MAT (Dkt. 30). Because  
06 plaintiff's counsel has again failed to comply with the instructions of this Court, the opening  
07 brief in this case (Dkt. 19) is hereby STRICKEN from the record.

08       Plaintiff shall submit a revised opening brief, compliant with Court rules and Orders,  
09 within **fourteen (14) days** of the date of this Order. Defendant shall, within **seven (7) days** of  
10 receipt of the revised opening brief, either seek additional time to submit a revised responsive  
11 brief or inform the Court of his intention to rely on the responsive brief already submitted. The  
12 Court will thereafter set a date for the submission of plaintiff's reply brief. The Clerk is  
13 directed to send copies of this Order to the parties.

14       DATED this 21st day of July, 2011.

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17 Mary Alice Theiler  
18 United States Magistrate Judge  
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